

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
December 1, 2014  
7:00 p.m.**

**Mayor Jeffrey E. Graham Presiding**

**Present:** Council Member Roxanne M. Burns  
Council Member Joseph M. Butler, Jr.  
Council Member Stephen A. Jennings  
Council Member Teresa R. Macaluso  
Mayor Graham

**Also Present:** Sharon Addison, City Manager  
Robert J. Slye, City Attorney

**City staff present:** Jim Mills, Ken Mix, Michael Sligar, Celia Cook, Amy Pastuf, Amie Davis, Peter Monaco, David Wurzburg, Beth Morris, Justin Wood, Fire Chief Dale Herman, Deputy Fire Chief Russell Randall, Brian Phelps, Margaret Waggoner

The City Manager presented the following reports to Council:

- Resolution No. 1 - Designation of Dog Park Site, Factory Square Park
- Resolution No. 2 - Designation of Dog Park Site, Thompson Park – North Entrance Drive
- Resolution No. 3 - Appointment of Commissioner of Deeds
- Resolution No. 4 - Designation of Official Newspaper
- Ordinance No. 1 - Amending City Municipal Code § A320-4(A.)(9), Schedule of Fees – Slip, Slide and Skate
- Tabled Resolution - Approving Whitewater Park Public Access Limited Use Agreement with Hole Brothers Holdings, LLC
- Board and Commission Appointments
- Letter from T. Urling Walker
- Letter from Bruce Zicari
- Letter from Greg Binion
- Sales Tax Revenue – October 2014
- Sunday Bus Run

**Complete Reports on file in the office of the City Clerk**

Meeting opened with a moment of silence. Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of November 17, 2014 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

**C O M M U N I C A T I O N S**

A letter was received from Maryann Mooney-Rondon, Blue Moon Holding of New York, 445 Factory Street, discussing her concerns with locating a dog park at Factory Square Park and expressing her support of the Thompson Park North site.

A letter was received from Bruce Zicari, 38050 Ledgewood Lane, Clayton, seeking Council's approval to bring a professional baseball team, in conjunction with Colin Cummins and the East Coast Baseball League, to the City of Watertown.

**Above communications were placed on file in the office of the City Clerk.**

A Notice of Claim was received from Menter, Rudin & Trivelpiece, P.C. to recover damages for personal injuries sustained by their claimant, Janet S. Canell, resulting from a fall on the sidewalk located at or near 229 Washington Street on October 1, 2014.

**Above claim has been referred to the Board of Audit.**

### **PRIVILEGE OF THE FLOOR**

**Mary Clemo-Smith**, 723 Washington Street, addressed the chair stating that she has not received a response to her questions in regard to how much the City has already spent on the dog park. She commented that the dog park was to be at no expense to the taxpayers but the newspaper indicated that "most" of the expense of the dog park will be paid by donations. She said that the people in the community should be given a truthful answer as to whether the dog park is going to cost the City anything.

**Karen Fosberg**, 419 Clay Street Apt 1, addressed the chair stating she would like to see a dog park located within Thompson Park. She said that friends and families go there because it is a beautiful environment.

**Hailey and Shayla Mount**, 636 Boyd Street, addressed the chair in support of a dog park located within Thompson Park.

**Howard Sprague**, 1409 Ives Street, stated that his concern regarding a dog park is who would be responsible for operating and maintaining it. He said that he was at a dog park in Florida and there was a staff member there to ensure that the small and big dogs were separated and that the rules were followed. He asked if this operating cost will fall upon the City.

**Will Harris**, 405 Fairview Street, commented that he is in favor of Thompson Park because the Factory Square Park does not have enough trees and there needs to be shade for the dogs.

**Dan Mount**, 636 Boyd Street, indicated that he wants a dog park in Thompson Park because it is centrally located and he already goes there with his children.

**Joanne Nugent-Ward**, 156 Chestnut Street, remarked that she is in favor of a dog park at Thompson Park because it is centrally located and there are a lot of activities occurring there. She said that the Factory Street location is isolated and there are fewer trees.

**Sheila Gates**, 121 Dorsey Street, addressed the chair stating the dog park should not be on Factory Street because it could disrupt the neighbors. She said Thompson Park is safer than Factory Street.

**Tammy Angel**, 166 Cedar Street, told Council that she is in favor of the dog park at Thompson Park and has been advocating for it since she moved here from Plattsburgh in 2012. She said Plattsburgh has two dog parks and they were not staffed so the citizens of the community maintained them. She added that Thompson Park is a destination where people are already taking their dogs and is safer than Factory Square for elderly and single people because it is not secluded.

**Billy Greene**, 215 Glenn Street, Glen Park, stated that he is in favor of Thompson Park and has trained his dog there for the last year. He noted the trail along the riverbank at Factory Square is not safe.

**Matt Northup**, 166 Cedar Street, addressed the chair in support of Thompson Park.

**S.G. Gates**, 157 Dorsey Street, informed Council that there is a lot of support for Thompson Park. He stressed that this is not about him and it is about doing something good for the community. He reminded Council that he started this campaign in March of 2007 and his hope was to have the dog park in Thompson Park. He said that he wants a dog park but it needs to be built to standards and will be wonderful for this community. He pointed out that the Factory Street location is too small and he will not collect money for a “block dog park”. He explained that this will only service a small area of the City and not the whole City. He asked Council to reconsider the Thompson Park location and he submitted petitions in support of Thompson Park signed by 32 City residents and 21 non-City residents (on file in the City Clerk’s Office).

**Jeanne Shear**, Black River, indicated that she is an animal advocate and plans to use the dog park. She said she does not agree with locating the dog park in Thompson Park. She indicated that Factory Street should be looked at because that area needs to be revitalized and this would be a good thing to bring people to that neighborhood. She noted Thompson Park is not as accessible in the winter months for walkers.

**Christa Harris**, 405 Fairview Street, expressed concern with Factory Square Park due to noise and lack of shade from trees as well as safety issues with the riverbank.

## **RESOLUTIONS**

### **Resolution No. 1 - Designation of Dog Park Site, Factory Square Park**

#### **Introduced by Council Member Roxanne M. Burns**

WHEREAS the City of Watertown through its Parks and Recreation Department seeks to offer citizens a range of programs, activities and sports to build both body and mind and offer participants a more enjoyable and enriching community, and

WHEREAS many communities across the Nation have established “dog parks” to provide an opportunity for dog owners and their pets to exercise and enjoy dog ownership by providing a convenient and safe off-leash location for canines, and

WHEREAS City of Watertown residents have expressed support for a dog park and have expressed interest in helping pay for it through private fundraising aided by the Northern New York

Community Foundation, and by an ad hoc committee being recruited by Council Member Stephen A. Jennings, and

WHEREAS City Council has agreed to identify and assess locations on City land according to criteria established by the Planning Department and since this dog park will be a City facility,

NOW THEREFORE BE IT RESOLVED that after due diligence in reviewing six identified sites, the City Council of the City of Watertown designates Factory Square Park as the preferred location for a dog park and further resolves to provide to the community support group a rendition of the proposed park design so they can commence fundraising, and

BE IT FURTHER RESOLVED that the Planning Department and other relevant staff will work with the private sector to ensure all efforts conform to City goals, laws and policies.

**Seconded by Council Member Teresa R. Macaluso**

Council Member Macaluso said that when Council first decided to entertain the idea of a dog park, she was fine with the Gotham Street location because this area is not in the middle of the park. She said the location that is wanted now is inappropriate for the ambiance of the park. In regard to size, she stated that her impression was that dog owners wanted the dog park for socialization and she was never under the impression that it was supposed to be used to run the dogs for exercise. Mentioning the rumor of toxic waste at the Factory Square Park, she stressed there is no way that Council would ever put anyone in that type of danger. She remarked that she took offense to those accusations. She added that Council was asked for a dog park and is trying to be accommodating but is being fought every step of the way instead of being thanked.

Council Member Jennings commented that he is supportive of Thompson Park because he believes the Factory Street site is too small. He said all the literature on dog parks indicates that it should be at least 1.5 acres noting that many cities' dog parks are much larger than the minimum criteria. He commented that it should be put in a location with the potential for expansion because he feels it will be popular. Mentioning costs, he said that the two sites are comparable and with fundraising, location matters. He applauded the Mayor for wanting to develop that part of the City and believes the green space will be needed as Public Square improves but he does not think it is big enough for a dog park. He has received a lot of outreach in support of Thompson Park which he has shared with Council noting that the concerns of the neighbors are valid. Stressing that this is a public-private partnership, he noted that the City is relying on fundraising to establish this park on a selected site so he feels Council needs to listen to the people who have to do this fundraising. He said this is why he proposed Resolution No. 2.

Council Member Burns agreed with Council Member Macaluso in that the Factory Street location is not contaminated noting that this property is designated as parkland by the State of New York. Therefore, she said this property is not contaminated and she thinks this rumor is disrespectful to the City. She understands that everyone has their own preferred location but she would rather not muddy the waters with untrue facts. She discussed some of the stated concerns with Factory Street noting that the police would respond to Factory Street just as they would to Thompson Park. She apologized to Ms. Clemo-Smith for not receiving answers to her questions and mentioned that she has requested staff to calculate the estimated maintenance costs for the next five years. She clarified that originally she was not in support of a dog park because she was looking out for the best interests of the community and a dog

park is not the top priority. She named several other projects such as the second Courtroom, Ice Arena Renovations and Factory Street Reconstruction that should take priority. She reviewed several of the petitions submitted in support of the Thompson Park location and questioned the validity of particular addresses.

Council Member Butler commented that this is a controversial issue and he is trying to keep everyone happy. He explained that he has spoken to the people in support of and in opposition to the Thompson Park sites and has heard both sides. He said that he does not have a problem with Thompson Park but his first choice was Factory Square due to the redevelopment opportunity, high traffic volume, beautiful views of the river, existing parking, closeness to downtown and many people in walking distance. He noted the disadvantage is that it is small but he views this as a compromise and the first step. If this is successful, then he said they can always look to having a second dog park.

Mayor Graham said that he has made his views very public and the concept of a dog park has become more acceptable than it was in the past. He agreed with Council Member Burns that there are a lot of other priorities for the City as well. He reiterated that Council has gone through a process in picking a location and reviewed this process. He remarked that he has heard the pros and cons for each but in his opinion, Factory Square is shovel ready with adequate parking and is centrally located. In regards to some of the neighbors' concerns, he feels that they can be worked out and he has talked to some neighbors that are very supportive of the project.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea, except for Council Member Stephen A. Jennings voting nay.**

**Resolution No. 2 - Designation of Dog Park Site, Thompson Park – North Entrance Drive**

WHEREAS the City of Watertown through its Parks and Recreation Department seeks to offer citizens a range of programs, activities and sports to build both body and mind and offer participants a more enjoyable and enriching community, and

WHEREAS many communities across the Nation have established “dog parks” to provide an opportunity for dog owners and their pets to exercise and enjoy dog ownership by providing a convenient and safe off-leash location for canines, and

WHEREAS City of Watertown residents have expressed support for a dog park and have expressed interest in helping pay for it through private fundraising efforts aided by the Northern New York Community Foundation, and

WHEREAS City Council identified and assessed locations on City land according to criteria established by the Planning Department and since this dog park will be a City facility,

NOW THEREFORE BE IT RESOLVED that after due diligence in reviewing six identified sites, the City Council of the City of Watertown designates Thompson Park – North Entrance Drive as the preferred location for a dog park and further resolves to provide a rendition of the proposed park design to supporters from the general public so they can commence fundraising, and

BE IT FURTHER RESOLVED that the Planning Department and other relevant staff will work with the private sector to ensure all efforts conform to City goals, laws and policies.

**No introduction**

**Resolution No. 3 - Appointment of Commissioner of Deeds**

**Introduced by Council Member Joseph M. Butler, Jr.**

WHEREAS Commissioner of Deeds in the cities of this state shall be appointed by the common councils of such cities, and

WHEREAS Commissioner of Deeds shall hold the term of two years, and

WHEREAS Any person who resides in or maintains an office or other place of business in any such city and who resides in the county in which said city is situated shall be eligible to appointment

NOW THEREFORE BE IT RESOLVED that the following individuals are hereby appointed Commissioner of Deeds for the term expiring December 31, 2016.

**City Employees - Police Department**

Christopher J. Kamide II

Joshua P. Moran

**Non-City Employees**

Cynthia E. Cronk

Carmeline DeFranco

Martha Ann McIntosh

**Seconded by Council Member Stephen A. Jennings and carried with all voting yea.**

**Resolution No. 4 - Designation of Official Newspaper**

**Introduced by Council Member Roxanne M. Burns**

BE IT RESOLVED by the City Council of the City of Watertown, New York, that the *Watertown Daily Times* be and is hereby designated as the official newspaper of the City of Watertown, New York, for the year beginning January 1, 2015 and ending December 31, 2015.

**Seconded by Council Member Stephen A. Jennings and carried with all voting yea.**

**ORDINANCES**

**Ordinance No. 1 - Amending City Municipal Code § A320-4(A.)(9), Schedule of Fees – Slip, Slide and Skate**

**Introduced by Council Member Teresa R. Macaluso**

BE IT ORDAINED that Section A320-4 of the City Code of the City of Watertown is amended to read as follows:

§ A320-4(A.)(9) Schedule of Fees is amended to read as follows:

- (9) Slip, Slide and Skate: \$25 onetime fee for City residents and \$45 onetime fee for City residents who require skate rentals. \$45 onetime fee for non-residents and \$65 onetime fee for non-residents who require skate rentals. Participants may register online with the Webtrac software for 10 hours of group lessons led by a qualified instructor.

and,

BE IT FURTHER ORDAINED that this amendment shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

**Seconded by Council Member Stephen A. Jennings**

**Motion for unanimous consent moved by Council Member Teresa R. Macaluso, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.**

## **OLD BUSINESS**

**The Resolution “Approving Whitewater Park Public Access Limited Use Agreement with Hole Brothers Holdings, LLC”.** *(Introduced on 10/20/2014; tabled; appears in its entirety in the 2014 Minutes Book on page 3 of the 10/20/2014 minutes).*

**The foregoing resolution remained tabled.**

## **STAFF REPORTS**

### **Board and Commission Appointments**

Council asked staff to reach out to the existing appointees and seek their interest in continuation of service.

Mayor Graham mentioned that the Board of Assessment Review members are similar to hearing officers and the City should consider some sort of compensation for those positions.

### **Letter from T. Urling Walker – Area of Ice for Curling**

Mayor Graham asked the Parks and Recreation Department to look into this.

Celia Cook, Program Manager, explained that she had researched this last year and there is an opportunity to borrow equipment for demonstration purposes. She explained the difference needed for the ice sheet.

Council Member Butler said the ice has a different surface so it should be on a separated sheet of ice. He said that this is a great sport and a lot of fun so it would be nice to have the potential for this in the layout of the arena.

Ms. Cook stated that her Crew Chief said that it is not anything that could be done outside.

Mayor Graham asked if there is an artificial surface that can be used and instructed staff to research it in order to respond to Mayor Walker.

**Letter from Bruce Zicari - Baseball**

Mayor Graham indicated that a presentation should be given to Council showing the pros and cons of the three offers regarding baseball. He asked for it to be at a future work session.

Council Member Butler said that he wants to keep baseball in Watertown. He agreed that a work session would be in order to see which one best represents the City's interests.

**Letter from Greg Binion – 2<sup>nd</sup> Annual Hockey for Heroes/Wounded Warriors Project**

Mayor Graham mentioned the letter that was received in regards to the Wounded Warriors Event.

**Sales Tax Revenue – October 2014**

Mayor Graham stated that this report shows there are still challenges ahead for the City.

Council Member Butler noted that there is a significant decline from the previous month. He said that Council needs to look at preliminary budget proposals as opposed to the traditional timeline.

**NEW BUSINESS**

**Sewall's Island Sign**

Mayor Graham mentioned the sign designating Sewall's Island was up.

**Watertown Trust Marketing Downtown and Interactive Website**

Mayor Graham told Council that Watertown Trust is creating an interactive website to market the development occurring Downtown. He asked that a demonstration of this be presented at the work session next week.

**Open Disclosure Legislation Relating to Bond Issues**

Mayor Graham stated Council members met with staff one by one to discuss this in order to comply with Open Meeting Statutes but due to the merits of it, it should have been brought to Council earlier.

**Christmas Parade and Tree Lighting**

Mayor Graham reminded everyone that this ceremony will be Friday, December 5<sup>th</sup> at 6:30 p.m.

**Dog Park Questions From Mary Clemo-Smith**

Mayor Graham stated that Ms. Clemo-Smith should get some level of answers to her questions and he feels that with a public-private project the City does bear the responsibility of maintaining the facility once it becomes a City facility, similar to the Children's Playground at Thompson Park.

Council Member Butler said that she is owed an explanation of the staff's time spent on this proposal. He noted that fundraising was supposed to cover maintenance costs but stressed that maintenance funds do not last forever so the City is at risk for incurring that cost.



Council Member Macaluso mentioned that the lighting and water expense for the dog park will fall onto the City as well.

**Crows**

Council Member Burns said that she received a phone call stating the crows have moved to the Army Reserve site on Massey Street.

**Gas Prices**

Mayor Graham asked for a report on how gas prices affect the budget.

**Sunday Bus Run**

Ms. Addison explained that adding bus service on Sundays will cost the City approximately \$1000 per week and the request was for the three Sundays in December.

Council Member Macaluso stated there are people that need this service so she can justify that expense.

Council Member Jennings asked if this has been requested in the past.

Peter Monaco, Assistant Superintendent of Public Works, replied that there have been requests in the past but it was never done before.

Council Member Burns remarked that she is willing to support this for this year but she would like the usage tracked in order to support it for future years.

**Motion was made by Council Member Teresa R. Macaluso to move into Executive Session to discuss the employment history of particular individuals.**

**Motion was seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

Council moved into Executive Session at 8:08 p.m.

Council reconvened at 8:27 p.m.

**A D J O U R N M E N T**

**At the call of the chair, meeting was duly adjourned at 8:27 p.m. by motion of Mayor Jeffrey E. Graham, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

*Ann M. Saunders*  
City Clerk